

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TODD A. JOHNSON,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

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No. 4:15CV436 RLW

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 (ECF No. 23). Defendant has no objection to Plaintiff's request.

On January 5, 2016, the undersigned reversed the Commissioner's decision and remanded Plaintiff's case for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$5,843.75, which represents 30.7 hours of attorney work at the rate of \$190.35 per hour. Defendant filed a response to Plaintiff's motion, stating that she has no objection to an award of EAJA fees of \$5,843.75 to be paid by the Social Security Administration.

In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. *Kelly v. Bowen*, 862 F.2d 1333, 1335 (8th Cir. 1988). The Court finds that Plaintiff is entitled to EAJA fees in the amount of \$5,843.75, payable to the Plaintiff as the prevailing party. *Astrue v. Ratliff*, 560 U.S. 586, 593 (2010) (holding that EAJA fees are payable to the prevailing party and may be subject to offset to satisfy any pre-existing debt owed to the United States). An appropriate Judgment will accompany this Memorandum and Order.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney's Fees (ECF No. 23) is **GRANTED** in the amount of \$5,843.75.

IT IS FURTHER ORDERED that said award shall be made payable to the Plaintiff. A separate Judgment shall accompany this Memorandum and Order.

Dated this 30th day of March, 2016.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE